01-9-03



Attorney Docket No.: I4060/249318

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Gary A. Ort Mertl, et al.

Serial No.:

10/010,054

Art Unit:

Filed:

December 7, 2001

Examiner:

For:

DUAL DENSITY CLING FOAM

SPACER

GROUP SOON

Assistant Commissioner for Patents Washington, DC 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publications listed on the modified Form PTO/SB/08A are enclosed with this submission for consideration by the Examiner.

German Patent Application No. DE 92 15 354.2 and German Patent Application No. DE 80 34 455.4 define the general state of the art. A copy of the International Search Report from the related pending International application is enclosed for the Examiner's review.

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this correspondence, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on this day of October 2002 with sufficient postage as first-class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

ATLLIB02 92095.1

U.S.S.N.: 10/010,054 Filed: December 7, 2001

For: Dual Density Cling Foam Spacer

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Submission of the references provided in this Information Disclosure Statement is not

intended to constitute an admission that any reference referred to herein is prior art for this

invention unless specifically designated as such. Also, in accordance with 37 C.F.R. § 1.97(g),

the filing of this Information Disclosure Statement shall not be construed to mean that an

exhaustive search has been made or that no other material information as defined in 37 C.F.R. §

1.56(a) exists.

This Information Disclosure Statement is being filed before the issuance of a first

office action on the merits of the application (37 C.F.R. 1.97(b)(3)); therefore, no fee is

believed to be due. If a fee is due, the Commissioner is authorized to charge such fee and any

additional fees that may be due or credit any overpayment to Deposit Account No. 11-0855.

Respectfully submitted,

Geoffrey K. Gavin

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Date: October 2, 2002

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PTO/SB/08A (08-00)

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the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number Substitute for Form 1449/AFF Complete if Known **Application Number** 10/010,054 Filing Dat December 7, 2001 **INFORMATION DISCLOSURE First Named Inventor** Gary A. Ort Mertl STATEMENT BY APPLICANT **Group Art Unit** (use as many sheets as necessary **Examiner Name** Sheet of **Attorney Docket Number** 14060/249318

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U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	U.S. Patent Number		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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		Office ³	Number ⁴	Kind Code ³ (if known)		Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear	Τ ⁶
	4	DE	92 15 354	Α	1	Moritz Ursula	03-24-1994		
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¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent document, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁴Applicant is to place a check mark here if English language translation is attached.